

Atty. Dkt. No. 025782-0113 (3664.Palm)
(f.k.a. 035451/0139)

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims as set forth above, claims 1-25 are now pending in this application.

In Section 4 of the Office Action, the Examiner rejected claims 1, 9, 11, 12, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Macko (U.S. Patent No. 6,052,563) in view of McDonald et al. (U.S. Patent No. 6,778,829), and further in view of Pepe et al. (U.S. Patent No. 5,742,668). To this rejection applicants respectfully traverse.

The process of registering the handheld computer or portable electronic device described by Applicants refers to the process in which a mobile device attempts to obtain a wireless connection with a messaging server and identifies the mobile device to the messaging server such that messages addressed for the particular mobile device may be routed to the mobile device over the wireless link or connection. Further, the references do not provide any motivation for combining the teachings together to provide a handheld computer which is configured for e-mail messaging and that establishes a wireless link with a communications network at a time approximating a predetermined time, where the time is selected at random with a predetermined interval to establish the wireless link and further to register the device with a messaging service provider server and then automatically delivering any e-mail messages that may be waiting from the e-mail messaging server to the handheld computer. The inherent problem being solved by Applicants' invention is to avoid network congestion if a large number of mobile devices are configured to register with a server all at the same time. The references all describe other problems which their inventions purportedly solve. Thus, none of the references provide any desirability for their combination. Not one reference would motivate one skilled in

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the art to combine its teachings with any of the other references because the problems being solved are substantially different. Even if one skilled in the art recognized the problem being solved by Applicants invention, one would not be motivated to combine the three cited references because none of the references teachings would influence one skilled in the art to make the combination. Therefore, because there is no motivation to combine the references because the problem being solved was unrecognized and the reference do not provide any motivation or desirability for combining, the obviousness rejection is improper. Accordingly, independent claims 1, 9, and 17 and their respective dependent claims are therefore allowable.

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Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers

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submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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